



BILLING CODE: 4510-24

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Advisory Board on Toxic Substances and Worker Health

ACTION: Solicitation for Nominations to Serve on the Advisory Board on Toxic Substances and Worker Health (Board) of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

SUMMARY: The Secretary of Labor (Secretary) invites interested parties to submit nominations for individuals to serve on the Board of the EEOICPA.

SUPPLEMENTARY INFORMATION: The Board is mandated by Section 3687 of EEOICPA. The Secretary established the Board under this authority and Executive Order 13699 (June 26, 2015) and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. The purpose of the Board is to advise the Secretary with respect to: 1) the Site Exposure Matrices of the Department of Labor (DOL); 2) medical guidance for claims examiners for claims with the EEOICPA program, with respect to the weighing of the medical evidence of claimants; 3) evidentiary requirements for claims under Part B of EEOICPA related to lung disease; 4) the work of industrial hygienists and staff physicians and consulting physicians of the DOL and reports of such hygienists and physicians to ensure quality, objectivity, and consistency; 5) the claims adjudication process generally, including review of procedure manual changes prior to incorporation into the manual and claims for medical benefits; and 6) such other matters as the Secretary considers appropriate. In addition, the Board, when necessary, coordinates exchanges of data and findings with the Department of

Health and Human Services' Advisory Board on Radiation and Worker Health, which advises the Department of Health and Human Services' National Institute for Occupational Safety and Health on various aspects of causation in radiogenic cancer cases under Part B of the EEOICPA program.

The Board will consist of 12-15 members to be appointed by the Secretary. The Secretary will appoint a Board Chair from among the members. Pursuant to Section 3687(a)(2), the Board will reflect a reasonable balance of scientific, medical, and claimant members, to address the tasks assigned to the Board. Members serve two-year terms. At the discretion of the Secretary, members may be appointed to successive terms or removed at any time. The Board will meet no less than twice per year.

Pursuant to Section 3687(d), no Board member, employee, or contractor can have any financial interest, employment, or contractual relationship (other than a routine consumer transaction) with any person who has provided or sought to provide, within two years of their appointment or during their appointment, goods or services for medical benefits under EEOICPA. A certification that this is true will be required with each nomination.

DOL is committed to equal opportunity in the workplace and seeks broad-based and diverse Board membership. Any interested person or organization may nominate one or more individuals for membership. Interested persons are also invited and encouraged to submit statements in support of nominees.

Nomination Process: Any interested person or organization may nominate one or more qualified individuals for membership. If you would like to nominate an individual or yourself for appointment to the Board, please submit the following information:

- The nominee's contact information (name, title, business address, business phone, fax number, and/or business email address) and current employment or position;
- A copy of the nominee's resume or curriculum vitae;
- Category of membership that the nominee is qualified to represent;
- A summary of the background, experience, and qualifications that addresses the nominee's suitability for the nominated membership category identified above;
- Articles or other documents the nominee has authored that indicate the nominee's knowledge, experience, and expertise in fields related to the EEOICPA program, particularly as pertains to industrial hygiene, toxicology, epidemiology, occupational medicine, lung conditions, or the nuclear facilities covered by the EEOICPA program;
- Documents or other supportive materials that demonstrate the nominee's familiarity, experience, or history of participation with the EEOICPA program or with the administration of a technically complex compensation program such as EEOICPA;
- A signed statement that the nominee does not have any financial interest, employment, or contractual relationship (other than a routine consumer transaction) with any person who has provided or sought to provide, within two years of their appointment or during their appointment, goods or services for medical benefits under EEOICPA; and

- A signed statement that the nominee is aware of the nomination, is willing to regularly attend and participate in Board meetings, and has no conflicts of interest that would preclude membership on the Board.

Nominees will be appointed based on their demonstrated qualifications, professional experience, and knowledge of issues the Board may be asked to consider. Nominees will also be selected in accordance with statutory obligations under FACA and Section 3687 of EEOICPA regarding a balanced membership.

Any member appointed to fill a vacancy occurring prior to the expiration of a resigning Board member's term shall be appointed for the remainder of such term. As specified in Section 3687(i), the Board shall terminate ten (10) years after the date of the enactment of the legislation, which was December 19, 2014. Thus, the Board shall terminate on December 19, 2024.

Members are Special Government Employees (SGEs) and serve without compensation.

However, members may each receive reimbursement for travel expenses for attending Board meetings, including per diem in lieu of subsistence, as authorized by the federal travel regulations.

Board activities may necessitate its members obtain security clearance. Pursuant to Section 3687(f), the Secretary of Energy will ensure that the Board members, Board staff, and any contractors performing work in support of the Board are afforded the opportunity to apply for a security clearance for any matter for which such a clearance is appropriate, and should provide a determination on eligibility for clearance within 180 days of receiving a completed application.

ADDRESSES: Nominations may be submitted, including attachments, by any of the following methods:

- *Electronically:* Send to: EnergyAdvisoryBoard@dol.gov (specify in the email subject line, “Advisory Board on Toxic Substances and Worker Health Nomination”).
- *Mail, express delivery, hand delivery, messenger, or courier service:* Submit one copy of the documents listed above to the following address: U.S. Department of Labor, Office of Workers’ Compensation Programs, Advisory Board on Toxic Substances and Worker Health, Room S-3522, 200 Constitution Ave., NW, Washington, DC 20210.

Follow-up communications with nominees may occur as necessary through the process.

DATES: Nominations for individuals to serve on the Board must be submitted (postmarked, if sending by mail; submitted electronically; or received, if hand delivered) within 30 days of the date of this notice.

FOR FURTHER INFORMATION CONTACT: You may contact Michael Chance, Designated Federal Officer (DFO), at chance.michael@dol.gov , or Carrie Rhoads, Alternate DFO, at rhoads.carrie@dol.gov, U.S. Department of Labor, 200 Constitution Avenue, NW., Suite S-3524, Washington, DC 20210, telephone (202) 343-5580.

This is not a toll-free number.

Signed at Washington, DC.

Julia K. Hearthway,
Director, Office of Workers’ Compensation Programs.

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